

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

ERIC ALEXANDER, ET AL.

Case No. 3:12-cr-00165

The Honorable William Haynes
Chief U.S. District Judge

MOTION TO CLARIFY ORDER TO CONTINUE TRIAL

The United States of America, by and through its attorney, the Acting United States Attorney for the Middle District of Tennessee, David Rivera, and Assistant U.S. Attorney Alex Little, hereby respectfully moves the Court to clarify its Order, filed at R. 132, granting defendant Alexander's Motion to Continue Trial (Unopposed), filed at

R.130.

The United States notes that, on June 20, 2013, defendant Alexander filed an unopposed motion to continue trial and status conference, R. 130; although defendants Baird and Vail previously pleaded guilty, the case is continuing against Alexander, Smith, and White. On June 21, 2013, defendant Smith also filed a motion to continue the trial and status conference, at R. 134. Accordingly, the United respectfully asks that the Court further Order that its prior Order continuing the trial and status conference applies to all defendants, because no severance motion has been filed or granted, and the purposes of judicial efficiency and justice are furthered by the motion applying to all co-defendants.

The trials of the other defendants can be continued without offending the Speedy Trial Act. This is true because the Act excludes "a reasonable period of delay when the

*On the
this motion
is GRANTED
The
prior
order
or
continuance
of that
trial
applies to
all
defendants.
See 2d motion.
Will
USMP
6-27-13*